

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JANIS SHUMWAY, Individually

Plaintiff,

v.

1:21-cv-01059-STA-

NEIL HOSPITALITY, INC. d/b/a
COLONIAL INN, a Tennessee
Corporation,

Defendant.

DEFENDANT, NEIL HOSPITALITY, INC.'S, MOTION TO DISMISS COMPLAINT

Pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, Defendant Neil Hospitality, Inc. d/b/a Colonial Inn, a Tennessee Corporation moves this Court for an Order dismissing the Complaint of Plaintiff Janis Shumway ("Shumway") on the grounds Shumway lacks standing and, therefore, the Court lacks subject matter jurisdiction over this action.

In support of its motion, Defendant, Neil Hospitality, Inc. d/b/a Colonial Inn, a Tennessee Corporation relies upon its Memorandum of Law filed simultaneously herewith and the record of this cause.

Dated: May 21, 2021.

Respectfully submitted,

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By: s/ Jay G. Bush

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Attorneys for Defendant Neil Hospitality, Inc. d/b/a
Colonial Inn, a Tennessee Corporation

CERTIFICATE OF SERVICE

I certify that on the 21st day of May, 2021, a true and correct copy of the foregoing was served via the Court's ECF system to the following:

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s/ Jay G. Bush